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SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE REACHED IN THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in documents S/23370 and Corr.1 of 9 January 1992, S/23370/Add.1 of 17 January 1992, S/23370/Add.3 of 7 February 1992, S/23370/Add.10 of 26 March 1992 and S/23370/Add.11 of 27 March 1992.

During the week ending 4 April 1992, the Security Council took action on the following items:

(a) Letters dated 20 and 23 December 1991 (S/23306, S/23307, S/23308, S/23309, S/23317)

(b) Report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992)

(c) Further report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992)

(see also S/23370/Add.3)

The Security Council met to consider the item at its 3063rd meeting, on 31 March 1992, in accordance with the understanding reached in its prior consultations, having before it two reports by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992) contained in documents S/23574 and S/23672 respectively.

The President, with the consent of the Council, invited the representatives of Iraq, Jordan, the Libyan Arab Jamahiriya, Mauritania and Uganda, at their request, to participate in the discussion without the right to vote.

At the same meeting, in response to the request dated 31 March 1992 from the Permanent Representative of Morocco to the United Nations (S/23764), the Security Council extended an invitation under rule 39 of its provisional rules of procedure to Mr. Ahmet Engin Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations.

The President drew attention to the text of draft resolution S/23762, which had been submitted by France, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Security Council proceeded to vote on the draft resolution contained in document S/23762, and adopted it, by a vote of 10 votes in favour, to none against, with 5 abstentions (Cape Verde, China, India, Morocco and Zimbabwe), as resolution 748 (1992).

Resolution 748 (1992) reads as follows:

The Security Council,

Reaffirming its resolution 731 (1992) of 21 January 1992,

Noting the reports of the Secretary-General, 1/ 2/

Deeply concerned that the Libyan Government has still not provided a full and effective response to the requests in its resolution 731 (1992) of 21 January 1992,

Convinced that the suppression of acts of international terrorism, including those in which States are directly or indirectly involved, is essential for the maintenance of international peace and security,

Recalling that, in the statement issued on 31 January 1992 on the occasion of the meeting of the Security Council at the level of heads of State and Government, 3/ the members of the Council expressed their deep concern over acts of international terrorism, and emphasized the need for the international community to deal effectively with all such acts,

Reaffirming that, in accordance with the principle in Article 2, paragraph 4, of the Charter of the United Nations, every State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities

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1/ S/23574.

2/ S/23672.

3/ S/23500.

within its territory directed towards the commission of such acts, when such acts involve a threat or use of force,

Determining, in this context, that the failure by the Libyan Government to demonstrate by concrete actions its renunciation of terrorism and in particular its continued failure to respond fully and effectively to the requests in resolution 731 (1992) constitute a threat to international peace and security,

Determined to eliminate international terrorism,

Recalling the right of States, under Article 50 of the Charter, to consult the Security Council where they find themselves confronted with special economic problems arising from the carrying out of preventive or enforcement measures,

Acting under Chapter VII of the Charter,

1. Decides that the Libyan Government must now comply without any further delay with paragraph 3 of resolution 731 (1992) regarding the requests contained in documents S/23306, S/23308 and S/23309;

2. Decides also that the Libyan Government must commit itself definitively to cease all forms of terrorist action and all assistance to terrorist groups and that it must promptly, by concrete actions, demonstrate its renunciation of terrorism;

3. Decides that, on 15 April 1992 all States shall adopt the measures set out below, which shall apply until the Security Council decides that the Libyan Government has complied with paragraphs 1 and 2 above;

4. Decides also that all States shall:

(a) Deny permission to any aircraft to take off from, land in or overfly their territory if it is destined to land in or has taken off from the territory of Libya, unless the particular flight has been approved on grounds of significant humanitarian need by the Committee established by paragraph 9 below;

(b) Prohibit, by their nationals or from their territory, the supply of any aircraft or aircraft components to Libya, the provision of engineering and maintenance servicing of Libyan aircraft or aircraft components, the certification of airworthiness for Libyan aircraft, the payment of new claims against existing insurance contracts and the provision of new direct insurance for Libyan aircraft;

5. Decides further that all States shall:

(a) Prohibit any provision to Libya by their nationals or from their territory of arms and related material of all types, including the

sale or transfer of weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts for the aforementioned, as well as the provision of any types of equipment, supplies and grants of licensing arrangements, for the manufacture or maintenance of the aforementioned;

(b) Prohibit any provision to Libya by their nationals or from their territory of technical advice, assistance or training related to the provision, manufacture, maintenance, or use of the items in (a) above;

(c) Withdraw any of their officials or agents present in Libya to advise the Libyan authorities on military matters;

6. Decides that all States shall:

(a) Significantly reduce the number and the level of the staff at Libyan diplomatic missions and consular posts and restrict or control the movement within their territory of all such staff who remain; in the case of Libyan missions to international organizations, the host State may, as it deems necessary, consult the organization concerned on the measures required to implement this subparagraph;

(b) Prevent the operation of all Libyan Arab Airlines offices;

(c) Take all appropriate steps to deny entry to or expel Libyan nationals who have been denied entry to or expelled from other States because of their involvement in terrorist activities;

7. Calls upon all States, including States not members of the United Nations, and all international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to 15 April 1992;

8. Requests all States to report to the Secretary-General by 15 May 1992 on the measures they have instituted for meeting the obligations set out in paragraphs 3 to 7 above;

9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To examine the reports submitted pursuant to paragraph 8 above;

(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the measures imposed by paragraphs 3 to 7 above;

(c) To consider any information brought to its attention by States concerning violations of the measures imposed by paragraphs 3 to 7 above and, in that context, to make recommendations to the Council on ways to increase their effectiveness;

(d) To recommend appropriate measures in response to violations of the measures imposed by paragraphs 3 to 7 above and provide information on a regular basis to the Secretary-General for general distribution to Member States;

(e) To consider and to decide upon expeditiously any application by States for the approval of flights on grounds of significant humanitarian need in accordance with paragraph 4 above;

(f) To give special attention to any communications in accordance with Article 50 of the Charter from any neighbouring or other State with special economic problems that might arise from the carrying out of the measures imposed by paragraphs 3 to 7 above;

10. Calls upon all States to cooperate fully with the Committee in the fulfilment of its task, including supplying such information as may be sought by the Committee in pursuance of the present resolution;

11. Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for this purpose;

12. Invites the Secretary-General to continue his role as set out in paragraph 4 of resolution 731 (1992);

13. Decides that the Security Council shall, every 120 days or sooner should the situation so require, review the measures imposed by paragraphs 3 to 7 above in the light of the compliance by the Libyan Government with paragraphs 1 and 2 above taking into account, as appropriate, any reports provided by the Secretary-General on his role as set out in paragraph 4 of resolution 731 (1992);

14. Decides to remain seized of the matter.

Letter dated 2 April 1992 from the Permanent Representative of Venezuela to the United Nations addressed to the President of the Security Council

In a letter dated 2 April 1992 addressed to the President of the Security Council (S/23771), the Permanent Representative of Venezuela to the United Nations requested, under rule 3 of the provisional rules of procedure of the Security Council, that a meeting of the Security Council be convened urgently in order to bring to the Council's attention the violation to the diplomatic mission of Venezuela to Tripoli on the same date. He further stated that such incident, in direct violation of international law, was viewed by his Government with extreme concern, not only regarding the non-observance by the

Libyan Arab Jamahiriya of the basic duties of host States to provide appropriate security and protection to diplomtic missions in their territories, but also as a hostile act directly related to action taken on the Libyan Arab Jamahiriya by the Security Council resolution 748 (1992).

The Security Council met to consider the item at its 3064th meeting, on 2 April 1992, on the basis of the above request.

The President stated that, following consultations among members of the Security Council, he had been authorized to make the following statement (S/23772) on behalf of the Council:

> "The Security Council strongly condemns the violent attacks on and destruction of the premises of the Embassy of Venezuela in Tripoli that took place today. The fact that these intolerable and extremely grave events have been directed not only against the Government of Venezuela but also against and in reaction to Security Council resolution 748 (1992) underlines the seriousness of the situation.
>
> "The Council demands that the Government of the Libyan Arab Jamahiriya take all necessary measures to honour its international legal obligations to ensure the security of the personnel and to protect the property of the Embassy of Venezuela and of all other diplomatic and consular premises or personnel present in the Libyan Arab Jamahiriya, including those of the United Nations and related organizations, from acts of violence and terrorism.
>
> "The Council further demands that the Libyan Arab Jamahiriya pay to the Government of Venezuela immediate and full compensation for the damage caused.
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> "Any suggestion that those acts of violence were not directed against the Government of Venezuela but against and in reaction to resolution 748 (1992) is extremely serious and totally unacceptable."

<u>The situation in the occupied Arab territories</u> (see S/11935/Add.18, S/11935/Add.19, S/11935/Add.20, S/11935/Add.21, S/11935/Add.44, S/11935/Add.45, S/13033/Add.9, S/13033/Add.10, S/13033/Add.11, S/13033/Add.28, S/13737/Add.7, S/13737/Add.8, S/13737/Add.18, S/13737/Add.20, S/13737/Add.22, S/13737/Add.50, S/14326/Add.50, S/14840/Add.1, S/14840/Add.2, S/14840/Add.3, S/14840/Add.4, S/14840/Add.12, S/14840/Add.13, S/14840/Add.15, S/14840/Add.16, S/14840/Add.45, S/15560/Add.6, S/15560/Add.7, S/15560/Add.20, S/15560/Add.30, S/15560/Add.31, S/16880/Add.36, S/17725/Add.3, S/17725/Add.4, S/17725/Add.48, S/17725/Add.49, S/18570/Add.49, S/18570/Add.50, S/18570/Add.51, S/19420/Add.1, S/19420/Add.2, S/19420/Add.4, S/19420/Add.5, S/19420/Add.13, S/19420/Add.15, S/20370/Add.5, S/20370/Add.6, S/20370/Add.22, S/20370/Add.26, S/20370/Add.34, S/20370/Add.44, S/21100/Add.10, S/21100/Add.12, S/21100/Add.17, S/21100/Add.20, S/21100/Add.39, S/21100/Add.40, S/21100/Add.42,

S/21100/Add.44, S/21100/Add.45, S/21100/Add.48, S/21100/Add.49, S/21100/Add.50, S/22110/Add.12, S/22110/Add.20 and S/23770/Add.1)

The Security Council resumed its consideration of the item at its 3065th meeting, on 4 April 1992, in accordance with the understanding reached in its prior consultations.

The President drew attention to the request contained in the letter dated 3 April 1992 (S/23781) from the Permanent Observer of Palestine to the United Nations that, in accordance with its previous practice, the Security Council invited the Permanent Observer of Palestine to the United Nations to participate in the debate. He said that the request was not made pursuant to rule 37 or rule 39 of the provisional rules of procedure of the Security Council but that, if it was approved, the Council would be inviting the Permanent Observer of Palestine to the United Nations to participate, not under rule 37 or rule 39 of the Council's provisional rules of procedure, but with the same rights of participation as under rule 37.

Following discussion, the Security Council approved the request by 10 votes in favour, to 1 against (the United States of America), with 4 abstentions (Belgium, France, Hungary and the United Kingdom of Great Britain and Northern Ireland).

The President stated that, following consultations among members of the Security Council, he had been authorized to make the following statement (S/23783) on behalf of the Council:

> "The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Gaza Strip, especially by the current serious situation in Rafah in which several Palestinians have been killed and many more injured.
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> "The members of the Security Council condemn all these acts of violence at Rafah. They urge maximum restraint in order to bring the violence to an end.
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> "The members of the Security Council urge Israel to abide at all times by its obligations under the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and to respect and to act in accordance with the relevant resolutions of the Security Council. The members of the Security Council are concerned that any escalation of violence would have serious implications for the peace process, especially at a time when negotiations to achieve a comprehensive, just and lasting peace are under way.
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> "The members of the Security Council request the Secretary-General to use his good offices, in accordance with resolution 681 (1990), regarding this situation concerning Palestinian civilians under Israeli occupation."